Docket No.: 026880.00035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 026880.00035

In re patent application of:

John S. HENDRICKS et al.

Confirmation No.: 9377

Serial No.: 09/520,344

Art Unit: 2621

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DISCLOSURE OF LITIGATION IN COMMONLY ASSIGNED PATENTS

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

December 29, 2009

Sir:

U.S. Patent Nos. 5,986,690 and 7,298,851, which are commonly assigned with this application, are the subject of litigation in the United States District Court for the District of Delaware, Case No. 1:09-CV-00178. All references asserted in that litigation regarding the validity and/or enforceability of the above patents have already been made of record in this application.

Application No. 09/520,344 Docket No.: 026880-00035

In the event that any fees are due with respect to this paper, please charge Deposit Account No. 01-2300, referencing Atty. Docket No. 026880.00035.

Respectfully submitted,

By Trupn Reg. No. L0574 for Charles Marmelstein

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